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ZION HADAD
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AIR MAIL

COPY MAILED

JUN 3 0 2005

OFFICE OF PETITIONS

In re Application of :
Zion Hadad :
Application No. 09/493,662 :DECISION ON PETITION
Filed: January 28, 2000 :UNDER 37 CFR 1.137(b)
For: OFDM COMMUNICATION CHANNEL :
:

This is a decision on the petition under 37 CFR 1.137(b), filed May 6, 2005, to revive the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." This is **not** a final agency action within the meaning of 5 U.S.C. § 704.

This application became abandoned for failure to timely pay the issue fee (and submit corrected drawings) as required by the Notices mailed November 22, 2004.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(c). Where there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 was unintentional, the Commissioner may require additional information. See MPEP 711.03(c)(III)(C) and (D). **The instant petition fails to satisfy items (1) and (2).**

Effective December 8, 2005, the issue and petition fees were increased. More specifically, the issue fee was increased to \$700 and the petition fee was increased to \$750. While the Notice of Allowance and Fee(s)Due, mailed on November 22, 2004 indicated that the issue fee due was \$685, any fee amount paid on or after December 8, 2004, must be paid in accordance with the revised fee schedule. Accordingly, petitioner must submit the balance due of \$15 for the issue fee and \$65 for the balance due for the petition fee.

In sum, before revival of this application can be effected, petitioner must submit fees totaling \$80 (\$15 for the issue fee and \$65 for the petition fee).

Petitioner is advised that the drawings filed on May 10, 2005 have been approved by the Official Draftsperson. Note attached Notice of Draftsperson's Patent Drawing Review.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITIONS
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Alexandria, VA 22313-1450

By hand: Customer Service Window
Mail Stop Petitions
Randolph Building
401 Dulany Street
Alexandria, VA 22314

By fax: (703) 872-9306
ATTN: Office of Petitions

Any questions concerning this matter may be directed to the undersigned at (571) 272-3218.

Frances Hicks
Frances Hicks
Petitions Examiner
Office of Petitions

Attachment: Notice of Draftsperson's Patent Drawing Review